

FILED '09 JAN 12 13:11 USDC ORP

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

CAROLANN M. NEES,

Civil No. 08-6012-AC

Plaintiff,

v.

ORDER

MICHAEL J. ASTRUE,
Commissioner of
Social Security,

Defendant.

MARSH, Judge.

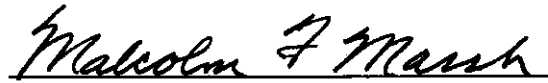
Magistrate Judge John V. Acosta filed his Findings and Recommendation on December 1, 2008. The matter is now before me. See 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ P. 72(b). No objections have been timely filed. This relieves me of my

obligation to give the factual findings de novo review. See §636(b)(1)(C); Simpson v. Lear Astronics Corp., 77 F.3d 1170, 1174-5 (9th Cir. 1996). Having reviewed the legal principles de novo, I find no error.

Accordingly, I ADOPT Magistrate Judge Acosta's Findings and Recommendation #19. The decision of the Commissioner is AFFIRMED. This action is DISMISSED.

IT IS SO ORDERED.

DATED this 12 day of January, 2009.


Malcolm F. Marsh
United States District Judge